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RUEHLB/AMEMBASSY BEIRUT PRIORITY 0651
RUEHEG/AMEMBASSY CAIRO PRIORITY 0886
RUEHDM/AMEMBASSY DAMASCUS PRIORITY 1175
RUEHLO/AMEMBASSY LONDON PRIORITY 0973
RUEHFR/AMEMBASSY PARIS PRIORITY 0886
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C O N F I D E N T I A L SECTION 01 OF 03 MANAMA 000096

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E.O. 12958: DECL: 02/04/2017
TAGS: [PGOV](#) [PHUM](#) [ASEC](#) [BA](#) [POL](#)
SUBJECT: ARREST OF PROMINENT ACTIVISTS SPARKS CLASHES
BETWEEN PROTESTERS, POLICE

REF: A. MANAMA 0093
[B](#). 06 MANAMA 1728

Classified By: Ambassador William T. Monroe for reasons 1.4 (b) and (d)
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Summary

[1](#)1. (C) Clashes between protesters and police broke out February 2 in Shia areas of Bahrain following the early morning arrest of three political activists, two of whom are well known oppositionists Hassan Mushaima and Abdul Hadi Al Khawaja. Demonstrators burned tires and threw stones at police, who responded with tear gas and rubber bullets. The three were released later the same day on their own recognizance following interrogation. They were charged with delivering speeches that promoted illegal change in government, inciting hatred, agitation, and harming the public interest. They denied all the charges, and Mushaima said all he did was practice his right of freedom of expression and opinion. Six political societies issued a public statement in support of the accused, saying the arrests marked a big retreat for Bahrain's reputation. The arrests came just days after the January 31 sentencing of two Shia activists for distributing illegal pamphlets. One direct effect of the arrests is that leading Shia political society Al Wifaq was forced to defend its more extremist rivals in order to maintain credibility in the eyes of many Shia Bahrainis. End Summary.

Activists Arrested, Demonstrators Take to Streets

[1](#)2. (SBU) Violence between protesters and security personnel erupted in Shia areas across Bahrain February 2 as news spread of the early morning arrest of three political activists, two of whom are prominent oppositionists. Hassan Mushaima, secretary general of the hardline Shia rejectionist Al Haq movement, former president of the now-dissolved Bahrain Center for Human Rights Abdul Hadi Al Khawaja, and Committee for the Unemployed activist Shaker Abdul Hussein were arrested at about 6 am February 2 and detained and interrogated before being released on their own recognizance on the evening of the same day. They were charged with promoting change in the governing system of the country by

illegal means, inciting hatred against the regime, agitation, and harming the public interest, in accordance with articles 160, 165, 168, 172, 173, and 214 of the penal code of 1976. If convicted, they could face more than ten years in prison. Al Khawaja had been arrested and convicted in late 2004 for delivering a lecture in which he insulted the Prime Minister. In that instance, the King ordered Al Khawaja's release the same day of his conviction.

13. (SBU) As news of the arrests spread, demonstrations broke out in the downtown Manama souq area and the villages of Daih, Sanabis, Diraz, and Sitra. According to press reports, hundreds of people demonstrated in Manama. Clashes broke out as protesters confronted riot police. Demonstrators burned tires and threw stones and police responded with tear gas and rubber bullets (most likely rubber slugs called batons). The press cites that between two and ten protesters were injured in the clashes as well as two police personnel.

Accused Deny Charges

14. (SBU) Mushaima, Al Khawaja, and Abdul Hussein are accused of delivering speeches during Ashoura that were critical of the government and for calling for a public investigation into allegations made by Salah Al Bandar in a September 2006 report that claimed members of the ruling family tried to manipulate the political system (Ref B). The press quoted Al Khawaja as saying, "All that I said is common knowledge to all people in Bahrain, especially those issues relating to human rights." Mushaima said he had not offended the King or any national symbols and denied all the charges against him.

MANAMA 00000096 002 OF 003

He asserted that he was simply practicing his right of freedom of expression and freedom of opinion. He called for a serious dialogue with the government.

15. (SBU) Upon their release by the public prosecutor, Mohammed Al Mutawa, defense lawyer for Abdul Hussein, told the press, "My client denied all accusations filed against him except the speech he delivered during Ashoura." He also denied insulting the King. Mushaima's lawyer Hassan Radhi said that the accusations against his client do not correspond with actual events. Lawyer Abdullah Al Shamlawi, who represents Al Khawaja, said his client denied the charges filed against him. When confronted with a CD recording of him delivering a speech, Al Shamlawi reported that Al Khawaja told investigators that the text had been tampered with by incorporating words taken out of context from previous speeches he had made.

Public Support, Public Criticism

16. (SBU) Six political societies - Al Wifaq (Shia), Al Waad (Secular Liberal), Islamic Action (Shia), National Congregation (Baathist), Progressive Tribunal (Secular Liberal), and Al Ekha Al Watani (Shia) - issued a joint statement February 3 about the arrests. They said that government's moves "impose a big retreat on Bahrain's reputation" in the field of human rights that will have negative consequences both internally and externally. They also faulted the Public Prosecution for acting as if it is part of the Ministry of Interior rather than an independent part of the judiciary. In his Friday prayer sermon February 2, head of the Al Wifaq parliamentary bloc Shaikh Ali Salman condemned the arrests and said he had asked other Al Wifaq members of parliament to follow up with the public prosecutor about the case. He said the way the arrests were made was not appropriate because Mushaima and Al Khawaja "are leading national figures who are highly respected by the nation." He stressed the importance of freedom of expression and said that if people want to protest the arrests, they should do so

in a peaceful way.

17. (SBU) Al Watan newspaper columnist Sawsan Al Shaer complained February 4 that Mushaima, Al Khawaja, and Al Wifaq all have double standards because they demand that the government enforce the law but they do not commit themselves to the same standard. She wrote, "So, Shaikh Ali Salman asks for the principle of preserving the dignity of national figures but he does not ask Mushaima and Al Khawaja to preserve the dignity of leadership figures, even the King, in their speeches." She continued that members of parliament, who are "the protectors of the constitution and the law," should have asked the public to be patient rather than criticize the government for its actions because the steps the government took were according to the law.

Two Other Activists Imprisoned for Pamphlet

18. (SBU) The three arrests came just days after the January 31 sentencing of two Shia political activists convicted of printing, possessing, and distributing illegal leaflets calling for an election boycott and questioning the legitimacy of the Al Khalifa regime. (Note: They were arrested in November, prior to the late November/early December parliamentary and municipal elections.) The two, dentist Mohammed Al Sahlawi and insurance executive Hussein Al Hibshi, apparently downloaded a paper written by Shia exile and London-based Bahrain Freedom Movement leader Saeed Al Shehabi that had been posted on an Internet website, printed it, and distributed it at public gatherings. Al Sahlawi was sentenced to one year in prison and Al Hibshi to six months in prison. Per Ref A, their legal case had been widely publicized and discussed during Ashoura-related events in late January. Reactions to their sentencing on Shia-run websites were predictable. One blogger wrote, "The State Security Law returns through the window after the doors were shut." Other contributors called for the King to release them with time served or pardon them.

MANAMA 00000096 003 OF 003

Comment

19. (C) Without knowing the content of the speeches the three gave during Ashoura, it is difficult to evaluate the validity of the government's accusations and the accused's protestations. Although Mushaima, Al Khawaja and the Haq Movement are competitors of Al Wifaq and its leadership, the arrests pushed Shaikh Ali Salman and his colleagues in parliament to defend the three publicly. Al Wifaq had been gearing up to advocate its constituents' interests in the parliament, but now it has become sidetracked and has to stand up for its more extremist and radical rivals in order to maintain credibility in the eyes of many Shia Bahrainis. In what could be a coincidence, Al Khawaja, Mushaima, and colleague Nabeel Rajab planned to visit Washington the week of February 12. Al Khawaja had been scheduled to speak at an American Enterprise Institute seminar February 13 called "Reform in Bahrain: One Step Forward, Two Steps Back?" along with Salah Al Bandar.

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